



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Wei *et al.*

Appl. No. 09/826,212

Filed: April 5, 2001

For: **Tumor Necrosis Factor
Receptor 5**

Confirmation No. 3523

Art Unit: 1646

Examiner: O'Hara, Eileen B.

Atty. Docket: 1488.1280006/EKS/GLL/SJE

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**Notice of Appeal From the Examiner to the Board
of Patent Appeals and Interferences - Large Entity**

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the final decision of the Examiner dated **March 11, 2003**, in which claims **176-190 and 210-220** were finally or twice rejected.

The fee (for a large entity) for filing a Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences (37 C.F.R. § 1.17(b)), along with any necessary extension fees (37 C.F.R. § 1.17(a)), is included in our PTO-2038 Credit Card Payment Form. In the event that extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Gaby L. Longsworth, Ph.D.
Agent for Applicants
Registration No. 47,756

Date: June 11, 2003

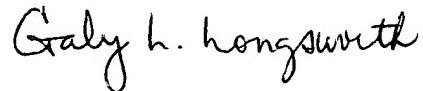
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June 11, 2003
Page 2

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Agent for Applicants
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EKS/GLL/SJE:kim
Enclosures

SKGF_DC1:143892.1



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*Admitted only in Maryland
•Admitted only in Virginia
•Practice Limited to Federal Agencies

June 11, 2003

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RECEIVED

Re: U.S. Utility Patent Application
Appl. No. 09/826,212; Filed: April 5, 2001
For: **Tumor Necrosis Factor Receptor 5**
Inventors: Wei *et al.*
Our Ref: 1488.1280006/EKS/GLL/SJE
Art Unit: 1646

JUN 13 2003

TECH CENTER 1600/2900

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Fee Transmittal (PTO/SB/17);
2. Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences - Large Entity;
3. Credit Card Payment Form (PTO-2038) in the amount of **\$320.00** to cover the Notice of Appeal fee; and
4. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$)** 320.00**METHOD OF PAYMENT (check all that apply)** Check Credit card Money Order Other** None

** Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.

 Deposit Account

Deposit Account Number 19-0036

Deposit Account Name: Sterne, Kessler, Goldstein & Fox P.L.L.C.

The Commissioner is authorized to: (check all that apply) Charge fee(s) indicated below Credit any over payments Charge any additional fee(s) during the pendency of this application Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION (continued)****3. ADDITIONAL FEES****Large Entity Small Entity**

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1502	50	2052	25	Surcharge-late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	.985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	\$320.00
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

320.00

** or number previously paid, if greater; For Reissue, see above

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Gaby L. Longsworth	Registration No. (Attorney/Agent)	47,756	Telephone	202-371-2600
Signature	Gaby L. Longsworth		Date	June 11, 2003	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, O.P. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

SKGF_DC1;143890.1